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Speech of Hon. Benjamin H. Hill, on the Condition of the Country. Delivered in the City of Atlanta, Tuesday, July 16th, 1867.

Ladies and Fellow-Citizens:

Human governments, like everything else human, naturally tend to decay. They can only be preserved by constant watchfulness, courage, and adherence to correct principles. These remarks apply with unusual force to free governments, which are the most difficult of all to maintain. If we, the people of the United States, were the first in history who had attempted the experiment of living under a Democratic or Republican form of government, we might be excused if we failed to discover the symptoms of approaching death, and to apply the remedies to preserve our liberty and the blessings we have heretofore enjoyed. But we are not the first who have made this experiment. Other peoples and nations, for thousands of years, have had commonwealths, republics and democracies, which have risen and fallen times almost without number. I but assert a great truth, one which finds no contradiction or exception in all history, when I say that the great leading and substantial causes of the decay of freedom in all countries, have ever been the same. How inexcusable must we be if we fail to discover the symptoms, and how cowardly and recreant if we fail to apply the proper remedy to prevent so foul a death!

No people ever commenced to build up a free government under such favorable auspices as we. What a climate, soil, variety of productions and material resources do we possess; and what an ancestry and what a common struggle for liberty did our fathers pass through! Did any people ever before commence with such advantages? Rome commenced as a small city, and was despised by the barbarians around it. She extended her power by her arms, and increased till at last she became mistress of the world. We commenced with such a people, country and productions as no people ever had before, and we had fewer dissensions and elements of discord than any people ever suffered from; and Providence, as if to separate us from the crimes and corrupting influences of the Old World, spread out this great continent before us, with the wide sea to separate us from them with no influence of monarchy and oppressive systems to threaten or make war upon us. If we fail, it will be by our own folly. What excuse can we render to our posterity and to the world, if we, in this day, with the lessons of history before us, allow free institutions to perish on this continent? And our race will have been the soonest run. We have not yet lived a century. It is but seventy-eight years since the Constitution was formed, and but ninety-one years since independence was declared by our fathers, while the commonwealth of Rome lived four hundred years before the measures which produced her decay were proposed. What a spectacle! The best people, the richest soil, the most valuable productions, established as if by the Providence of God as a new era in the history of the world, and bidding fair to be the shortest lived of any free government in the history of nations!

There is no difficulty whatever, and I assert it without fear of contradiction, in discovering when and how a nation is dying. I cannot now go into an analysis of all the symptoms of national decay and death. It is only important to present the leading one which controls all others, which existing, produces all others, and which being remedied, cures all others. Then hear it: The great symptom of the decay and death of a government is the disregard of the fundamental law of that government. Whenever a people come to treat lightly their own fundamental law, they have arrived at the most dangerous point that is possible, short of entire destruction. Republics, above all other kinds of government are maintained by respect for law. If the people of the United States fail to have a sacred regard for their own law, which is not like that of other nations, to be ascertained by argument, by decisions or by searching, but is a plain and wisely written Constitution, they will deserve the awful fate that awaits them; and he who disregards its plain language has no excuse to shield himself from the infamy of a traitor! (Applause.) Old as it is, trampled upon, torn and tattered as it is, my theme to-day is the Constitution of our country and for all our country. (Applause.) I charge before Heaven and the American people this day, that every evil by which we have been afflicted is attributable directly to the violation of the Constitution. Thinkers may work, quacks may prescribe, and demagogues may deceive, but I declare to you that there is no remedy for us, and no hope to escape the threatened evils, but in adhering to the Constitution.

Fellow-citizens: Pardon me while I say that in presenting my views, I think of no living man individually, to whom my remarks are to apply. I have come to talk freely to you about the dangers of the country. Little minds ascribe

little objects to those whose views they do not agree with, and he has attained an unsavory reputation whose friends say "you mean him," when I am speaking of treachery and showing the evil consequences of a certain line of policy. I have no personal attacks to make on an enemy, even if I have one. God knows if I could, with my own hands, I would gladly place a crown of imperishable honor on the brow of my most bitter foe, if I could thereby rescue my country from the perils that environ it. (Applause.) But if I have an enemy, and have a vindictive spirit, and desire him to become forever infamous, I could ask no more of him than that he should support the hellish schemes of those who are now seeking to subvert the Constitution and destroy our liberty. He is digging a grave for himself which posterity will never water with a tear. Let him alone. I have come to discuss the present phase of the revolution.

We have had a war which raged furiously for four years. It originated simply in a difference of opinion as to our rights under the Constitution. This difference existed from the first. It existed among the framers of the Constitution. It could not be settled by argument, and an appeal was made to the sword. It was an open, manly fight. There was nothing secret or ambiguous in the issue. It was waged by men influenced in the masses by patriotic emotions on both sides; and it was not to destroy the Constitution, but to assert on each side their different views. On our side it was asserted that the States were separate and independent sovereignties and that the Constitution was a compact which each party was at liberty to dissolve at will, and so we seceded and declared ourselves out of the Union. On the other hand, it was contended that we were not out of the Union, notwithstanding our secession acts, and that the Constitution was not a compact, but a binding law upon the States resulting from a compact, and therefore no one of the number could dissolve the connection at will. Upon this issue we went to war. The war was fought till we laid down our arms and agreed to what our enemies said, that we were in the Union.

But there is now another question to settle. It is still within the range of argument. Its proportions are huge. The issues are startling. It is not a difference of opinion as to what the Constitution means, and what are our rights under it; but its object is plainly, unmistakably, to set aside the Constitution and provide something else. I have never doubted that we were coming to this issue. In speeches made by me five, six, eight, and ten years ago, I predicted this, and every page of our history since that time has verified the correctness of the prediction. The people of the North honestly love the Constitution, but the leaders hate it and intend to destroy it, and the convulsion through which we have passed has thrown the opportunity of making the effort into their hands and the present military bills and the one which is not yet promulgated as law, are the means adopted to accomplish their design. These bills are proposed for our acceptance. There is a remarkable feature in these measures, that while force is employed to execute them they are yet nominally submitted to us for our acceptance or rejection.

I object to the whole scheme, because it is unconstitutional. A distinguished man, pardon me, I ought to say a notorious individual, said to me a few days ago, that I ought not to waste time to prove the unconstitutionality of these measures, a thing which every man, woman and child in the country knew, and yet he was for accepting! He spoke truthfully. That tottering, gray-haired candidate in Pennsylvania for perpetual infamy, who is building for himself a monument of malignity that will overtop the pyramids of Egypt, said the Constitution had nothing to do with it. I shall never get done shuddering, and horrors will never cease to rise up in my mind, when I see men taking an oath to support the Constitution, and then legislating to put in force measures which are outside of it. A great many of our own people flippantly say the Constitution is dead. Then your rights and hopes for the future, and all hope for your children are dead. I ask every man, if the Constitution is dead, why are we always, every day, and at every new step, required to take an oath to support it?

Now, I affirm that these military bills are not only contrary to the Constitution, but directly in the face of the amnesty oath you were required to take after the surrender. The government thought proper, in accepting your submission to take your oath to support the Constitution of the United States and the Union of the States. Why was that oath required if the Constitution was dead?

But it is said the Constitution does not apply to us. Then don't swear to support it.

But it is said again that we are not in the Union. Then why swear to support the Union of these States? What "Union" does that mean? When you

took that oath was it the Union of the Northern States alone that you swore to support? What business have you with that Union? No, it is the Union of all the States known to the Constitution that you have sworn to support.

But I will dwell no more on this subject. Confiscation is the law of enemies in war, and in peace it is the law of the robber. If they have the will to rob you, you will never escape by submitting to their power. If you submit, give up the law and substitute the will of the robber, he boldly avows that it is his purpose, not to give the black man his rights, but to bring about such measures and so to shape things as to perpetuate the rule of the Radical party! Every man who joins the party and can satisfy them that he will sincerely help in this work, will be accepted. They will put their arms around your necks and call you brothers. (Applause.) You can make a friend of the devil upon these same terms. (Laughter and applause.) And there is but little difference between them. (Great applause.) If you please the one you will go to the other, and I am not sure but you will get what you deserve, but I object to your taking the country with you. (Immense applause.)

But, O! it is said to see the Constitution trampled upon and the country destroyed, only to perpetuate their hellish dynasty; and then to see some of our own people join in this unholy work, calling upon us to submit and become the agents of our own dishonor! This is sad, sorrowful, and fills me with shame!

These bills propose at every step to abrogate the Constitution—trample upon the State and its laws—to blot out every hope—to perjure every man who accepts them, with every principle of justice, and safety disregarded, trampled upon, and despised—all to perpetuate the power of their wicked authors. Can this scheme succeed? Will it succeed? That is the question. I feel truly thankful in my heart that I have an answer which lifts my soul amidst all gloom and apprehension of the hour. Some of you may not appreciate it, but to me it is the only oasis in the desert: This scheme will never, never succeed, and I proclaim its ultimate failure to-day in your hearing. [Unbounded applause.] I know that some think it will. The air is full of the words of those who proclaim that there is no power to prevent it. Men have before this been weak and foolish, and cowards and traitors have before believed as you talk now, but I have a reason for the faith that is in me, which is absolutely sublime in the strength of its foundation.

1st. It will fail because it is not possible to perpetuate a government of force under the forms of a democracy. It may take some time to comprehend this thought, but you will not forget it. That which is now proposed is force. It is proposed by men who do not live in this State, and whose agents do not live here; and it is sought to be accomplished by military power, but under the pretense of your sanction—not to please yourselves, but them. There is not an instance in history where a government of force has been perpetuated under the form of free institutions. It is an impossibility, and can never succeed. (Applause.)

2d. But it is sought to be accomplished by deceit and fraud, which cannot much longer escape detection. The masses of the people of the North love the Constitution and fought for it and the Union, but the leaders did not fight for it, and do not love it; and they now seek to destroy it under pretenses that we must give some further guarantee for our future good behavior than merely supporting the Constitution. As soon as the means by which their deceit and fraud have been covered up are removed, the scheme will be crushed to death by the people. It is a double-headed monster, like the sentinel at Hell-gate, which can live nowhere except in a political pandemonium.

And what must be the result? I do not say we will come out of all this with free institutions preserved, but this scheme can never succeed. A despotism over the whole country and over all the people, guilty and innocent alike, may ensue. You'll fall but you may bring ruin upon all. Whenever you pull down the temple of liberty, you also will be crushed by the fall. You cannot level or lower us and elevate yourselves. We must either all rise or all go down together. Despotism may come, empires may rise and fall among us, but whether they do or not we shall not have the reign of a Radical party. Understand me: If I say a man cannot live high up in the air, I do not mean he cannot go up in balloon and remain for a time; or if I say a man cannot live under water, I do not say he cannot go down in a diving bell and remain a while; but the Radicals will as certainly fail to perpetuate their power under this scheme, as that a man will fall who attempts to dwell in the air, or drown who makes his home under water. Such a government would be unnatural—a political monstrosity, and cannot possibly last; but you may destroy the forms as well as the principle of free government, and you

will have a monarchy, and autocracy, an empire, or a despotism, as the case may be.

This very scheme was attempted in Rome by much better men than you Radicals are, and for a much better reason than you give. It is not original with you. You are but plagiarizing traitors at best, and get your scheme from the criminals of long ago. If I did steal, I would try to steal something better, and from a more respectable source.

If you will examine, and compare with former times, the productions of such men as Stevens, Phillips and Sumner, and their lesser followers and second hand plagiarizers down South, you will find all their miserable jargon about "liberty and equality," the "natural right of man," and the "born right of manhood suffrage," are borrowed from the men who lamented social and civil wars in Rome, and which have been repeated in every age since, by those who have no statesmanship but the devilish ability of exciting ignorant men to cut each others' throats. Republican Rome had an immense number of slaves and freedmen and non-voting citizens. She had a landed aristocracy embracing comparatively few of her people.

An agrarian law was proposed and for a time was immensely popular, but it failed and its first author was slain. His brother renewed the law and enlarged it by proposing suffrage to the slaves and freedmen with equal political rights. It was said "there could be no freedom without equality." But the brother also perished. Then a great general became the leader of the Radicals of that day, and he had more fame and merit and ability and honesty than all the Radical party of this day combined, but he also failed. And why did they all fail? Because they were attempting to engraft a government of force and robbery upon republican forms—attempting the absurd task of making equal things which God had made unequal—attempting equality by taking that which industries and frugal men had made and giving it to thriftless vagabonds, and by depositing in the keeping of ignorance and vice, powers and trusts which intelligence alone can know how to exercise and preserve.

But by the struggle Republican Rome perished and never knew liberty again. Nor was this all; her history from the beginning of the Agrarian attempt was one of blood, and faction, and waste, and ruin, until the goal of Empire was reached. In the social and civil wars which marked the struggle, more than seven hundred thousand of her best citizens were slain, and, besides these, whole populous territories were exterminated.

It may be that we of the United States have been so crazy in leaving the constitution—the only ark of safety—that our Heavenly Father has doomed us to perish, but I am gratified with a hope that it is not so. If not, there is but one method for our rescue, and that is by a prompt restoration of the constitution. Will it come? Will we escape an agrarian war, with resulting despotism, and save our institutions for our children? I hope we shall; I believe we shall. Though a great effort is being made—a designed effort—to destroy us as Rome was destroyed, I believe the effort will fail. I have great faith in the Anglo-Saxon blood. I derive great encouragement from Anglo-Saxon history. Our liberty was not born in a day. It is not the work of one generation. It is the fruit of a hundred struggles, and its guarantees have been perfecting for eight hundred years. Many have been the efforts to destroy it. Often the English Constitution was trampled on. Often traitors sought to substitute arbitrary will for well-established law, and often have the people for a time been misled. But thus far they have always waked up and called the traitors and factionists to account. Charles I. trampled on the Constitution. He had judges who decided that his will was the law, and all who resisted that will and defended the Constitution were punished as disloyal. And it did seem as if his power was irresistible. No doubt if you weak-kneed Radicals of the South had lived in that day you would have said, "the Constitution is dead and we must consent to what we cannot resist." But John Hampden would not consent. He resisted. He was tried as a criminal for resisting and was condemned. But what was the sequel? The people finally asserted their power. Charles and his ministers perished. The very judges that condemned Hampden were themselves tried and condemned as criminals, and the very officers even the sheriffs, who executed the orders of Charles and his court, were sued by the citizens for damages, and had to pay nearly a million dollars for executing the processes of a void, unconstitutional law! For a time traitors held the power and trampled on rights, but vengeance came, and perpetual infamy followed.

So Cromwell and his Parliament violated the constitution, and though they also flourished for a season, they too were overthrown. So James II. trampled on the constitution, and had to fly

from his kingdom a fugitive for life. In all these struggles good men, for a time, suffered, and bad men, for a time, ruled but the English race have never yet failed to rescue their constitution from the power both of traitors and fanatics.

I tell you the American people will not always be deceived. They will rise in defense of their constitution, and traitors will tremble. They who rallied three millions strong to defeat what they considered an armed assault on the constitution and Union, will not sleep until a few hundred traitors from behind the masked battery of Congressional oaths and deceptive pretensions of loyalty shall utterly batter down the Constitution and Union forever. I warn you, boastful, vindictive Radicals, by the history of your own fathers, by every instinct of manhood, by every right of liberty and every impulse of justice, that the day is coming when you will feel the power of an outraged and betrayed people. [Applause.] Go on confiscating! Arrest without warrant or probable cause; destroy habeas corpus; deny trial by jury, abrogate State Governments; defile your own race, and flippantly say the Constitution is dead! On, on, with your work of ruin, ye hell-born rioters in sacred things! But remember for all these things the people will call you to judgment. (Prolonged applause.) Ah! what an issue you have made for yourselves. Succeed, and you destroy the Constitution! Fail, and you have covered the land with mourning. Succeed, and you bring ruin on yourselves and all the country! Fail, and you bring infamy upon yourselves and all you deluded followers! Succeed, and you are the prepared assassins of liberty. Fail and you are defeated, despised traitors forever. Ye who aspire to be Radical Governors and judges in Georgia, I paint before you this day your destiny. (Unbounded applause.) You are but cowards and knaves, and the time will come when you will call upon the rocks and mountains to fall on you and the darkness to hide you from an outraged people. (Applause.)

But they say that oath was prescribed by the President, and that he is not loyal. Then I must answer a fool according to his folly, and a traitor according to his treason. What do they require who passed these bills—this military Juggernaut? They require every man who registers his name to vote, to swear to support the Constitution, and counsel and persuade others to do so—and still it is said the Constitution has nothing to do with it! They say the scheme is outside of the Constitution, and yet in the process of carrying it out, they require an oath to support the Constitution and persuade and counsel others to do so. That is more than Mr. Johnson ever required in the oath which he prescribed.

It is my business to support the Constitution, and my duty and pleasure to persuade others to do so. Some of you who favor the acceptance of the military bills take an oath to that effect, and still intend to vote for a convention which you admit to be ordered contrary to the Constitution! How is this? If you have a conscience, I have said enough. If you vote for the Convention, you are perjured! O! I pity the race of colored people who have never been taught what an oath is, nor what the Constitution means. They are drawn up by a selfish conclave of traitors to inflict a death-blow upon the life of the Republic by swearing them to a falsehood! They are to begin their political life by perjury to accomplish treason! I would not visit the penalty upon them. They are neither legally nor morally responsible, but it is you—educated, designing white men—who thus devote yourself to the unholy work—who are the guilty parties! You prate about your loyalty! I look you in the eye and denounce you! You are morally and legally perjured traitors! You perjure yourselves and perjure the poor negro to help your treason! You can't escape it! You may boast of it now, while passion is rife, but the time will come when the very thought will wither your soul and make you hide from the face of mankind.

I shall discharge the obligation of the amnesty oath. It required me to support the Constitution and the emancipation of the negro, and I do. I will not bind my soul to a new slavery, to hell, by violating it. I talk plainly, but I simply want to break through the encrustation of the hardening conscience, and make men feel and realize their true situation.

I have proved that these military bills violate the Constitution, and that you, in carrying them out, violate it and your amnesty oath and your registry oath. And what is your purpose? It must be a great good you seek to induce you to commit so much crime and folly.

Sometimes men wink at what is by strict technicalities wrong in the individual, to accomplish some great good to the public. I do not recognize the correctness of such action; but what do you propose by trampling upon the Constitution and violating your own solemn oaths? Is it to save the State and pre-

serve liberty? This is not the object, but the purpose is as infamous as the measure resorted to to effect it. You first propose to abrogate your State governments by authority of the so-called Congress—a mere conclave of a portion of the members of that body. By whom is this dictated? The principle that whoever forms a government should form it for themselves as well as for others, is a correct one; but the men who propose this for us do not live in any of the ten States to be affected by their legislation. It is not made to suit either black or white, or any other class of our people, but to suit themselves, while they are not affected by it; and if you act upon their proposition, in a manner to suit yourselves, you will not be accepted by them; nay, you violate the Constitution to subvert the Government. And by carrying out these measures you disfranchise your own people. Suppose we concede, for argument, that it is right to enfranchise all the negroes; if this be right, by what principles of law or morals do we disfranchise the white people? "O, but" you say, "the whites have been rebels." Then they should all be disfranchised, and not a part of them. Besides, the government you are to frame is to be a civil government, and last for all time, and for peace, when there can be no rebels. I see it stated that General Sickles has advised that the disfranchising feature be repealed or modified, and for the reason that the enfranchised class are not fit to fill the offices. Well, if he has done so, he has acted wisely, and has shown himself capable of appreciating one truth. And it is a great truth—one that will hide a multitude of sins; and it might be well for his fame if this recommendation alone could be remembered of his administration. In the face of the fact that a republican government can rest upon and be perpetuated only by the virtue and intelligence of the people, you propose to exclude the most intelligent from participating in the Government forever.

You will by these measures inaugurate a war of races. A people who will abrogate their own government and disfranchise the most intelligent of them at the dictation of those who are not to be affected thereby, and live under the dictation of a foreign power, have no conscience; but if you have a conscience, I hope to reach it. By all you hold dear I warn you that by accepting these military bills you inaugurate a measure that will exterminate the African race. Some of you that have come among us are taking the negro by the arm—telling him that you are his friend, and that you gave him his liberty! Ye hypocrites! Ye whited sepulchers! Ye mean in your hearts to deceive and buy up the negro vote for your own benefit. (Applause.) The negroes know no better. But I would ask them: If these men are faithful to the Constitution of the country, how can they be faithful to you? Yet these men admit in the very next that they are disregarding the Constitution! They take an oath to support it with the purpose and intent formed before hand to violate it, and vote for measures contrary to it! They are not fit to be trusted by any animal, dog or man! (Applause.) Such a man would betray his pointer, and such a woman sell her poodle! They are not capable of being the friends of anybody but themselves. I don't pity the whites so much who are to suffer by these measures. "You knew your duty and did it not," and if you are bent with many stripes we have the authority of scripture for saying that your punishment is just; but to see the Africans led off by a clap-net which they don't understand, and used because they don't understand it, and thus led to slaughter by men who are faithless to every principle—under the belief that they are being elevated and exercising God-given rights, is enough to make any man feel sick at heart, and experience the deepest pity for the unfortunate race.

This is not the first time that such things have been attempted. Unfortunately, there have been before both fools and knaves in the world, and some of you it would seem, will not learn wisdom from the lessons of the past. If the Constitution is dead, we are outside of it, and, pray, what government have we? We have nothing in that case, but the will of an unlawful conclave, and don't you know this means only anarchy and then despotism and tyranny! What inducement is held out to you to accept their propositions? You say it is to get back into the Union! and for this you are willing to submit to disfranchisement and the inauguration of a policy that tends to a war of races! all to get back into the Union—just where you are already, and always were!

What do you want to get back into that sort of a Union for? If you are not now in it, what can you expect by getting into such as they present to you? You say it is to get representation in the Union! Is not Kentucky in the Union? Has she any representation? The telegraph informs us that a resolution has been introduced into the so-called Congress making inquiries whether Maryland, Delaware and Kentucky have

[CONCLUDED ON FOURTH PAGE.]